REMARKS

Applicant has carefully reviewed the Office Action mailed November 25, 2008 and offers the following remarks.

Claims 1, 4-7, 9-13, 16-20, 23, and 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0028212 A1 to Lok et al. (hereinafter "Lok") in view of U.S. Patent Application Publication No. 2003/0236924 A1 to Auffret et al. (hereinafter "Auffret"). Applicant respectfully traverses.

When rejecting a claim under § 103, the Patent Office must either show that the prior art references teach or suggest all limitations of the claim or explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. Examination Guidelines for Determining Obviousness Under 35 U.S.C. § 103 in View of the Supreme Court Decision in *KSR International Co. v. Teleflex Inc.*, published in the Federal Register, Vol. 72, No. 195, pages 57526-57535. The gap between the prior art and the claimed invention may not be "so great as to render the [claim] nonobvious to one reasonably skilled in the art." *Dann v. Johnston*, 425 U.S. 219, 230, 189 U.S.P.Q.(BNA) 257, 261 (1976). In this case, the Patent Office has failed to show where each and every limitation of the claims is taught or suggested by the prior art. Further, for those limitations of the claims that are not taught or suggested by the prior art, the Patent Office has failed to explain why those limitations would have been obvious to one of ordinary skill in the art.

Claim 1 recites a method of providing an interface over a network between a client computer and a server for controlling telephony equipment, comprising the steps of:

a) sending over the network to the client computer a first section of code including software elements which when loaded in web browser software enable a user of the client computer to issue commands to the server; and

b) formulating a second section of code as an open-ended stream of code which includes event notifications generated dynamically by the server in response to said telephony equipment, wherein at least some of the event notifications in the second section of code are adapted to update in the browser software one or more software elements received in the first section of code; and

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c) sending over the network to the client computer said second section of code as a trickled stream of data which is encoded to be progressively and incrementally loaded by said web browser software;

whereby the first section of code provides a browser-based interface suitable for transmitting user generated events and the second section of code provides a mechanism for updating the browser with notifications of events provided by the telephony equipment.

The combination of Lok and Auffret does not teach or suggest each and every element of claim 1, and for those limitations of the claims that are not taught or suggested by the prior art, the Patent Office has failed to explain why those limitations would have been obvious to one of ordinary skill in the art.

The Patent Office now admits that Lok, as Applicant previously argued, does not teach or suggest steps (b) and (c) of claim 1 (Office Action mailed November 25, 2008, p. 3). However, the Patent Office now asserts that Auffret teaches steps (b) and (c) of claim 1. *Ibid.* Applicant respectfully disagrees.

Auffret does not teach or suggest "formulating a second section of code as an open-ended stream of code which includes **event notifications generated dynamically by the server in response to said telephony equipment**, wherein at least some of the event notifications in the second section of code are adapted to update in the browser software one or more software elements received in the first section of code," as recited in claim 1. Auffret discloses a streaming method for transmitting telephone system notifications to Internet terminals in real time. However, the notifications in Auffret are not generated dynamically by the server in response to said telephony equipment, as recited by the claimed invention. Instead, in Auffret, a connection is set up between the client and a server, but the notification messages are originated by the telephone switching system and sent to the server, and the server simply forwards them on to the client (Auffret, paragraph 0005). The server in Auffret does not generate the event notifications dynamically in response to the telephony equipment, as recited by the claimed invention. Thus, Auffret does not disclose or suggest this limitation. Since Auffret does not teach or suggest this limitation of the invention as claimed, and Lok admittedly does not teach or suggest this limitation, the combination of Lok and Auffret does not teach or suggest each and every limitation of claim 1. Claim 1 is therefore patentable.

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In addition, Auffret does not teach or suggest "sending over the network to the client computer said second section of code as a trickled stream of data which is encoded to be progressively and incrementally loaded by said web browser software," as recited in claim 1. The Patent Office cites to paragraph 0013 of Auffret as allegedly disclosing this limitation (Office Action mailed November 25, 2008, p. 4). Auffret discloses that the notification messages are dispatched by means of a Java servlet, which is sometimes called a pushlet, that pushes or sends the notification messages to the client's browser (Auffret, paragraph 0013). However, there is no mention in Auffret that the code that includes the event notifications is sent to the client as a **trickled** stream. Nor does Auffret mention that the claimed second section of code that includes the event notifications is "**encoded to be progressively and incrementally loaded** by said web browser software," as recited in claim 1. Thus, Auffret does not disclose or suggest this limitation. Since Auffret does not teach or suggest this limitation of the invention as claimed, and Lok admittedly does not teach or suggest this limitation, the combination of Lok and Auffret does not teach or suggest each and every limitation of claim 1. Claim 1 is therefore patentable.

Claims 13, 23, and 25-27 are independent claims that recite limitations similar to the limitations recited in claim 1. Thus, claims 13, 23, and 25-27 are patentable for at least the same reasons set forth above with respect to claim 1.

Claims 4-7 and 9-12 depend from claim 1 and recite all of the limitations of claim 1. Claims 4-7 and 9-12 are thus patentable for at least the same reasons set forth above with respect to claim 1.

Claims 16-20 depend from claim 13 and recite all of the limitations of claim 13. Claims 16-20 are thus patentable for at least the same reasons set forth above with respect to claim 13.

In addition, claims 7 and 19 recite limitations also not disclosed by the combination of Lok and Auffret. Claim 7 recites the further step of sending over the network a third section of code, said third section of code including a web services description of web services available on said server which enable remote control of the telephony equipment, whereby the software elements from the first section of code operate in conjunction with the web services description from the third section of code to enable the generation of appropriate commands to access the web services offered by the server, and thereby to control the telephony equipment. Claim 19 has a similar limitation. The Patent Office alleges that paragraphs 0011 and 0013 of Auffret

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disclose this limitation (Office Action mailed November 25, 2008, p. 5). Applicant respectfully disagrees.

Auffret discloses that an open service platform allows for the provision of additional services and the implementation of additional services (Auffret, paragraph 0011). However, Auffret does not disclose sending over the network a third section of code, said third section of code **including a web services description of web services available on said server which enable remote control of the telephony equipment**, as recited in claims 7 and 19. The mention of additional services of Auffret is not equivalent to the claimed web services description of web services available on the server. Auffret does not mention a description of web services available on the server which enable remote control of the telephony equipment. Thus, the combination of Lok and Auffret does not teach or suggest this additional limitation of claims 7 and 19. Claims 7 and 19 are patentable for this additional reason.
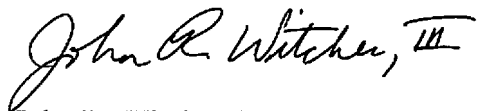
Claims 2, 3, 8, 14, 15, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lok in view of Auffret and further in view of U.S. Patent Application Publication No. 2007/0271332 A1 to Joshi et al. (hereinafter "Joshi"). Applicant respectfully traverses.

Claims 2, 3, and 8 depend from claim 1 and recite all of the limitations of claim 1. Claims 14 and 15 depend from claim 13 and recite all of the limitations of claim 13. Claim 24 is an independent claim that recites similar limitations as the limitations of claim 1. Claims 2, 3, 8, 14, 15, and 24 are thus patentable for at least the same reasons set forth above with respect to claim 1. In particular, the combination of Lok and Auffret does not teach or suggest each and every limitation of claim 1, for the reasons set forth above with respect to claim 1. Joshi does not cure the deficiencies of Lok and Auffret in this regard. Thus, claims 2, 3, 8, 14, 15, and 24 are patentable over the combination of Lok, Auffret, and Joshi.

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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